

IN THE MATTER OF: :  
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 :  
Mohamed K. Azab : Fact-  
 : Finding  
 : Hearing  
(Application for a :  
Manager's License) :

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
MIKE SILVERSTEIN, Member  
HECTOR RODRIGUEZ, Member  
JAMES SHORT, Member

1 P-R-O-C-E-E-D-I-N-G-S

2 9:56 a.m.

3 CHAIRPERSON MILLER: All right. The  
4 next case on our calendar is a Fact-Finding  
5 Hearing regarding an application for a manager's  
6 license. And that's for Mr. Mohamed Azab.

7 Since this is a personnel-related  
8 action, we like to ask if people not in this case  
9 might step out just for this one hearing. This  
10 involves an employee in question and we would ask  
11 that people not in the case step out for a short  
12 -- it will only be like probably 10, 15 minutes  
13 or so. Thank you.

14 Good morning, sir.

15 MR. AZAB: Good morning.

16 CHAIRPERSON MILLER: Would you  
17 identify yourself for the record, please?

18 MR. AZAB: I am Mohamed Azab.

19 CHAIRPERSON MILLER: Okay. And you  
20 have applied for a manager's license?

21 MR. AZAB: I have.

22 CHAIRPERSON MILLER: Okay. So we have

1 your written application before us and we asked  
2 you to come in because some things weren't clear  
3 on the application. In order for us to make a  
4 decision, we wanted to give you the opportunity  
5 to address them --

6 MR. AZAB: Sure.

7 CHAIRPERSON MILLER: -- so we can have  
8 a better understanding.

9 In general, I think your application  
10 reveals arrest for felony possession and cocaine  
11 and resisting a public officer, that's at least a  
12 couple of them.

13 So we wonder if you could address your  
14 criminal record?

15 MR. AZAB: I --

16 MEMBER SILVERSTEIN: Madam Chair, I  
17 would ask specifically that you address the  
18 disposition of those cases. You know, the arrest  
19 is important, but what is dispositive for us is  
20 how they were adjudicated and why, you know, and  
21 how that comports with you saying that you were  
22 not convicted. Conviction is the important

1        thing, sir.

2                    MR. AZAB:  Yes.  I was not convicted,  
3        but this happened about three years ago.  The two  
4        charges happened within a year of each other.  
5        And it was just before that I had a clean record.  
6        No history of crime or violence or anything like  
7        that.

8                    I lived in North Carolina.  I just  
9        happened to be -- like I made some unfortunate  
10       decisions.  I was hanging out with the wrong  
11       people and the two times that it happened were  
12       very small amounts.  And I mean, it was wrong and  
13       unfortunate, but I have learned a lot from it.  
14       And I just got a lawyer for both of them and they  
15       did a thing in North Carolina called a deferred  
16       prosecution, so I was not convicted of the two  
17       felony charges.

18                   CHAIRPERSON MILLER:  So what was the  
19       outcome?  You were convicted with --

20                   MR. AZAB:  No.  It was -- yes, I was  
21       not convicted.  They were --

22                   CHAIRPERSON MILLER:  Okay.

1 MR. AZAB: -- deferred prosecution.

2 CHAIRPERSON MILLER: Deferred?

3 MR. AZAB: Um-hum.

4 CHAIRPERSON MILLER: Okay.

5 MR. AZAB: So I did a drug program and  
6 I did community service. Community service for  
7 those things. And that was a few years ago. I'm  
8 totally not -- I mean, it's embarrassing,  
9 obviously. It's something I'm not -- I wasn't  
10 raised to do. And I was, I mean, hanging out  
11 with the wrong people. And it was unfortunate.

12 But I'm -- I just moved here to D.C.  
13 I'm married. My wife got a pretty nice job here  
14 in D.C. to further her career. I plan on staying  
15 here hopefully and -- with her and I'm working  
16 maybe a couple of years bartending and help her  
17 pay off her student loans.

18 And then hopefully -- I have talked to  
19 my lawyer in North Carolina and he told me that--  
20 I'm not sure how it works here in D.C., but I  
21 plan on pursuing like a career in education. I  
22 understand it does not look good on the sheet,

1 but that's not my character. It was just a bad  
2 string of time right when I turned 30.

3 CHAIRPERSON MILLER: So you are  
4 referring to being arrested for a small  
5 possession of cocaine, right?

6 MR. AZAB: Yes.

7 CHAIRPERSON MILLER: Where was the  
8 arrest? Was it in somebody's house? Was it in a  
9 car?

10 MR. AZAB: The first one was a girl  
11 was driving my car and she hit a tree and I -- we  
12 were both outside of the car. A police officer  
13 came to see if we were okay. He asked us who was  
14 driving. I didn't answer right away and I had  
15 something on me and he grabbed me and arrested me  
16 and said I was resisting arrest.

17 CHAIRPERSON MILLER: Okay.

18 MR. AZAB: And that was the first one.  
19 And then the second one, I was in somebody's  
20 house not doing anything crazy, but I was wrong.  
21 I did have something on me. I was inside the  
22 house and the police officer was outside the

1 house. He had told me to stop while I was  
2 walking inside the house and I didn't think that  
3 I would have to do anything, because the officer  
4 was outside and I was inside and he came inside  
5 the house, so yeah.

6 CHAIRPERSON MILLER: Okay. And one  
7 other question. The results being not convicted,  
8 but deferred prosecution. That's something I'm  
9 not that familiar with. You actually did  
10 something. You served -- I mean, you did  
11 community service or you did -- right? You  
12 weren't convicted, but you did have to serve out  
13 some kind of a community service or something  
14 like that?

15 MR. AZAB: I did.

16 CHAIRPERSON MILLER: Yes. Okay.  
17 Maybe that's a North Carolina thing. I don't  
18 know. Maybe it is --

19 MEMBER SHORT: It happens here in  
20 D.C., too.

21 CHAIRPERSON MILLER: It happens? The  
22 same thing. You don't get the conviction. Okay.

1       Okay.  So you are not --

2                   MR. AZAB:  Again, I didn't even know  
3       if I should have a lawyer with me.  They were --  
4       the case or the cases weren't dropped and I mean,  
5       it's very --

6                   CHAIRPERSON MILLER:  Okay.

7                   MR. AZAB:  -- embarrassing.  My  
8       stomach is in knots to even --

9                   CHAIRPERSON MILLER:  Okay.

10                  MR. AZAB:  I don't tell anybody about  
11       this, because it's -- I can't reiterate enough  
12       how embarrassing it is to have a criminal record.  
13       I mean, I made it all the way to 30.  I lived in  
14       a few different places in Jersey City and in  
15       North Carolina and I haven't really been --  
16       that's not my character is what I'm saying.

17                  CHAIRPERSON MILLER:  Okay.  And I just  
18       want to ask, how many years ago was this?

19                  MR. AZAB:  This was in 2011 and 2012,  
20       so about three years ago.

21                  CHAIRPERSON MILLER:  All right.  
22       Others have questions?



1 MEMBER SHORT: I do.

2 MEMBER ALBERTI: I do, but I'll let  
3 Mr. Short ask first.

4 CHAIRPERSON MILLER: Mr. Short? Okay.

5 MEMBER SHORT: Good morning, sir.

6 MR. AZAB: Good morning, sir.

7 MEMBER SHORT: And you were 30 years-  
8 old?

9 MR. AZAB: I was. I just turned 30,  
10 yes.

11 MEMBER SHORT: And up until that time  
12 you didn't have any criminal record?

13 MR. AZAB: Yes.

14 MEMBER SHORT: Well, I'm a person who  
15 does -- I do truly believe in redemption. And  
16 now that you are saying to us that the Judge  
17 thought enough of you to give you a second  
18 chance, I, as a Board Member, I personally as a  
19 Board Member, after hearing your compelling  
20 testimony about a family and starting working,  
21 and you seem to be very truthful and we  
22 appreciate you coming forth. I know it's

1       embarrassing.

2               MR. AZAB:   Thank you.

3               MEMBER SHORT:   And hopefully you won't  
4       have any more problems like this for the rest of  
5       your life knowing what happens when people are  
6       stopped by the police.   Okay.   All right.   Thank  
7       you, Madam Chair, that's all I have.   Thank you.

8               MR. AZAB:   Thank you, sir.

9               CHAIRPERSON MILLER:   Okay.

10              MEMBER ALBERTI:   Good morning.   Just  
11       one quick question.

12              CHAIRPERSON MILLER:   Mr. Alberti.

13              MEMBER ALBERTI:   When you said you had  
14       a small amount, what was the small amount in both  
15       cases?

16              MR. AZAB:   In both cases it was like  
17       kind of like what was in the -- what is in the  
18       bag.   Like the dust that's in the bag.   Nothing  
19       like --

20              MEMBER ALBERTI:   Less than a gram?

21              MR. AZAB:   Yes, way less than a gram.

22              MEMBER ALBERTI:   Okay.

1 MR. AZAB: Not very much.

2 MEMBER ALBERTI: Thank you.

3 CHAIRPERSON MILLER: Mr. Brooks?

4 MEMBER BROOKS: Yes. Thank you, Madam  
5 Chair. Resisting a public officer. How many  
6 occasions did that happen?

7 MR. AZAB: Honestly, sir, I accept the  
8 charges that they put on me, but I mean in both  
9 cases, I really wasn't fighting an officer or  
10 resisting an officer.

11 MEMBER BROOKS: So there was two  
12 cases?

13 MR. AZAB: Yes.

14 MEMBER BROOKS: And how far apart were  
15 they as far as --

16 MR. AZAB: About a year. About a  
17 year.

18 MEMBER BROOKS: About a year?

19 MR. AZAB: Yes.

20 MEMBER BROOKS: And so there was two  
21 charges, resisting a public officer.

22 MR. AZAB: Yes.

1 MEMBER BROOKS: Okay.

2 MR. AZAB: But I can honestly tell you  
3 I did not. I mean --

4 MEMBER BROOKS: Then why did they  
5 charge you with that?

6 MR. AZAB: The first one, like I  
7 didn't want to say right out that the girl was  
8 driving the car. And I guess he didn't even go  
9 after the girl. He came right after with me like  
10 stuttering like I am right now, he grabbed me,  
11 put cuffs on me, went through my pockets and  
12 arrested me and said I was resisting arrest.

13 And then the other one, I was inside  
14 of a person's house not doing anything and then I  
15 was walking through and the police officer was  
16 outside. He told me to stop, but I was -- I  
17 didn't think a cop could tell you from outside  
18 the house what to do. He came in and arrested me  
19 and said I was resisting arrest.

20 MEMBER BROOKS: Okay. And are you  
21 working now?

22 MR. AZAB: Yes, I work right down the

1 street at Compass Rose. I don't even work  
2 weekends or last night. I'm only getting the  
3 manager's license to close on Monday nights.

4 MEMBER BROOKS: Okay. Thank you,  
5 Madam Chair.

6 CHAIRPERSON MILLER: Okay. Others?  
7 Yes, Mr. Rodriguez?

8 MEMBER RODRIGUEZ: Mr. Azab, of the  
9 responsibilities that you have --

10 MR. AZAB: Yes, sir.

11 MEMBER RODRIGUEZ: -- as a manager --

12 MR. AZAB: Yes.

13 MEMBER RODRIGUEZ: -- that's what I'm  
14 concerned about. And I just want to make sure  
15 that you understand how important your duties  
16 are.

17 MR. AZAB: I do.

18 MEMBER RODRIGUEZ: And particularly  
19 young people coming into the establishment, maybe  
20 some times already under the influence. You need  
21 to be able to ascertain who you are going to  
22 serve and who you are not going to serve. So

1 those are things you need to think about. And we  
2 are very, very concerned about underage drinking  
3 in the establishments. So I want you to keep an  
4 eye on that, okay?

5 MR. AZAB: I appreciate it. I  
6 finished my TIPS training. We do cater to an  
7 older crowd where I work, but also I'm very  
8 alert. I have worked seven years in a bar in  
9 North Carolina without any --

10 MEMBER RODRIGUEZ: Right.

11 MR. AZAB: -- ALE in North Carolina  
12 without any infractions.

13 MEMBER RODRIGUEZ: Right. Okay.

14 MR. AZAB: It was a college town, so  
15 I understand the importance of that and keeping  
16 control of it.

17 MEMBER RODRIGUEZ: Okay. You  
18 understand your duties then?

19 MR. AZAB: Oh, yeah, absolutely.

20 MEMBER RODRIGUEZ: Okay.

21 MR. AZAB: I take it very seriously.

22 MEMBER RODRIGUEZ: Thank you.

1 MEMBER SILVERSTEIN: Thank you.

2 CHAIRPERSON MILLER: Okay. Mr.

3 Silverstein?

4 MEMBER SILVERSTEIN: Mr. Azab, my  
5 concern was, that what we had here, there was no  
6 clear -- it was unclear what the disposition  
7 cases were. You laid that out for us. I'm good  
8 with this.

9 MR. AZAB: I appreciate it.

10 MEMBER SILVERSTEIN: I wish you well  
11 and I hope that you move forward in your career  
12 and your life and do well.

13 MR. AZAB: Thank you.

14 MEMBER SILVERSTEIN: Thank you, sir.

15 CHAIRPERSON MILLER: Okay. Yes, I  
16 would like to say that I know it's difficult for  
17 you to come in here, but I mean we're glad that  
18 we called you and didn't just look at a piece of  
19 paper that, you know, had some felonies on it and  
20 said, you know.

21 MR. AZAB: Yes.

22 CHAIRPERSON MILLER: Okay. So, yes,

1 I'm ready to move that we approve this  
2 application for a manager's license.

3 MEMBER SHORT: I second. Second.

4 CHAIRPERSON MILLER: Mr. Short has  
5 seconded the motion.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON MILLER: All those  
9 opposed? All those abstaining? The motion  
10 passes 6-0-0. Okay.

11 MR. AZAB: Thanks.

12 CHAIRPERSON MILLER: Oh, wait. Okay.  
13 Yes, I guess you don't have to --

14 MEMBER ALBERTI: Hang on. If you want  
15 your license today, you can --

16 MR. AZAB: Yes, I would love to.

17 MEMBER ALBERTI: -- wait --

18 CHAIRPERSON MILLER: Okay. We're  
19 signing off.

20 MEMBER ALBERTI: -- in the office and  
21 they will have the paperwork.

22 MR. AZAB: I thank you all.



1 CHAIRPERSON MILLER: Okay.

2 MEMBER ALBERTI: You're welcome.

3 CHAIRPERSON MILLER: We wish you the  
4 best of luck.

5 MEMBER ALBERTI: Thanks for coming in.

6 CHAIRPERSON MILLER: Okay.

7 MEMBER ALBERTI: You have to go out  
8 through the lobby to get there.

9 MR. AZAB: Yes.

10 CHAIRPERSON MILLER: Sure.

11 MEMBER SILVERSTEIN: Mr. Azab, we are  
12 signing this.

13 CHAIRPERSON MILLER: We are signing  
14 it.

15 MEMBER SILVERSTEIN: And you will get  
16 it. You will get a copy of this after we sign it  
17 and then you can take it.

18 MEMBER ALBERTI: I just told him. He  
19 is going to the office.

20 MR. AZAB: Okay.

21 CHAIRPERSON MILLER: Okay.

22 (Whereupon, the Fact-Finding Hearing

1 in the above-entitled matter was concluded at  
2 10:09 a.m.)  
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